



PTO/SB/21 (09-04)

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FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	224	Attorney Docket Number	149459.00001
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Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Powell Goldstein LLP		
Signature			
Printed name	Jason A. Bernstein		
Date	7-10-06	Reg. No.	31,236

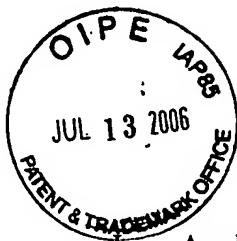
## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	LuAnn Miller	Date	7-10-2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kuttler, Marc	Confirmation No.: 1489
Appln. No.: 10/596,791	Group Art Unit: TBA
Filed: June 23, 2006	Examiner: TBA
Title: BIODEGRADABLE COATED IMPLANT WITH CONTROLLED DEGRADATION	Atty. Docket No. 149459.00001 Customer ID 25207

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citation of information on the attached Form PTO/SB/08A and/or PTO/SB/08B Information Disclosure Statement by Applicant(s), is made pursuant to 37 CFR 1.56 and 1.97.

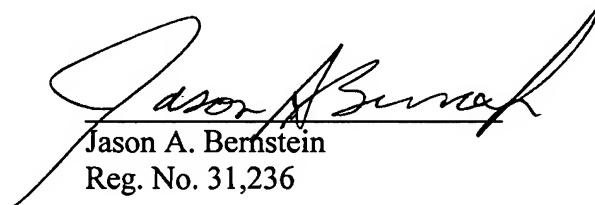
- Pursuant to 37 C.F.R. 1.97(b), this Information Disclosure Statement is being filed:
- Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d).
  - Within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application.
  - Before the mailing of a first Office action on the merits.
  - Before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.
- Pursuant to 37 CFR 1.97(c), this Information Disclosure Statement is being filed after the period specified in 1.97(b), but before the mailing date of a final action under 37 CFR 1.113, a notice of allowance under 37 CFR 1.311, or an action that otherwise closes prosecution in the application.
- A statement under 37 CFR 1.97(e) is below, or
  - Applicant(s) enclose the fee set forth in 37 CFR. 1.17(p)

- Pursuant to 37 CFR 1.97(d), Applicant(s) make the following certification:
- Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- and
- Applicant(s) enclose the fee set forth in 37 CFR 1.17(p).
  - Pursuant to 37 CFR 1.97(e), this Information Disclosure Statement is being filed on or before payment of the issue fee and is accompanied by the following statement pursuant to 37 CFR 1.97(e):
    - Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
    - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- Pursuant to M.P.E.P. Section 609C(1), this Information Disclosure Statement is being filed before the payment of an issue fee, but without the certification and fee set forth in 37 CFR 1.97(d). Applicants respectfully request that this Information Disclosure Statement be placed in the file of the instant application. Applicants also note that the references cited in this Information Disclosure Statement were submitted in the parent application to which this application claims priority.

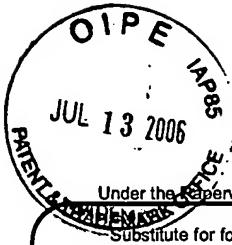
The Director is hereby authorized to charge any fees which may be required, or credit any overpayments to Deposit Account 50-1429. I have enclosed a duplicate of this sheet.

Respectfully submitted,  
POWELL GOLDSTEIN LLP



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Jason A. Bernstein  
Reg. No. 31,236

One Atlantic Center - Fourteenth Floor  
1201 West Peachtree Street, N.W.  
Atlanta, Georgia 30309-3488  
(404) 572-6900  
(404) 572-6999 (fax)  
[jbernstein@pogolaw.com](mailto:jbernstein@pogolaw.com)



PTO/SB/08A (07-05)

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-Substitute for form 1449/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Sheet 1 of 1

Complete if Known	
Application Number	10/596,791
Filing Date	June 23, 2006
First Named Inventor	KUTTLER, Marc
Art Unit	TBA
Examiner Name	TBA
Attorney Docket Number	149459.00001

Sheet 1 of 1

## **U. S. PATENT DOCUMENTS**

## **FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	A	WO 97/11724	04-03-1997	Toermaelae Pertti		
	B	WO 02/069848 A2	09-12-2002	Athanasiou Kyriacos A		
	C	WO 2004/000379 A1	12-31-2003	Advanced Cardiovascular		
	D	WO 98/56312 A1	12-17-1998	Scimed Life Systems, Inc.		
	E	WO 02/24247 A1	03-28-2002	Kensey Nash Corporation		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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